## IRON MOUNTAIN RAILS SPREAD---31 HURT

BLUNDERING JUSTICE WHO DID

NOT KNOW THE LAW HAS

IT REVEALED TO HIM.

WIRES HOT WITH INTERROGATION

Washington is Getting in Behind the

Small Judge Who Claimed That

His Court Did Not Recognize

Boston, Sept. 27 .- A telegram from

Washington bearing on the finding of

hird secretary Gurney of the British

embassy by Judge Phelps at Lee,

Mass., yesterday was received at the

executive department at the state

souse oday. The despatch was re-

ceived by Lieut. Gov. Guild, who in

the absence of Governor Bates at

once conferred with Assistant Attor

In Touch With Phelps.

of State Adee, who signed the tele-

gram from the state department and

"Washington, Sept. 26 .- Hon. John

"British embassy informs me that Mr. Gurney, third secretary of that

embassy, charged with driving an

automobile at excessive speed was to-

day arrested by the deputy sheriff

was sentenced by H C. S. Phelps.

special justice of the Lee police court

to pay a fine of \$25 and on his de-

another fine of \$25 for contempt

The Law on the Subject.

the United States declares that any

by any person in any state court of

judge or justice whereby the perso-

or any public minister of a foreign state is arrested or imprisoned shall

"Section 4064 declares that any per

son obtaining or prosecuting such

writ or process and every officer con

and subject to imprisonment an-

"I have to request that you take

"ALVEY A APRE.

"Acting Secretary of State,

Promises Immediate Action.

"Sate House Boston, Sept. 27.

"Hon. Alvey A. Adee, Washington

"Your thlogram in remard to the

Jeograffore action will be taken

THEFTIS CITED.

"Licet. Governor.

"Acting Governor.

received. Investigation already star;

The Telegram.

The telegram to Judge Phelyn said

"H. C. S Pholps, special justice

"The following tologram has bee

revelend from the state designment

names of Artine Sorrether Adm.)

to highways committed in this

Washinston: Allers to given the go

The Heutenant governor's mes

to the acting secretary of state fol-

not pay.

be deemed void.

lows:

Lon, Marc

When the conference was conclud-

ney General Nash.

International Law.

HEAVY RAINS IN MISSOURI WASHED OUT THE CATHOLICISM GRADE, AND CHAIR CAR, COACH AND SLEEPER WERE DERAILED

PASSENGERS CRAWLED OUT OF WINDOWS AFTER THE COACHES WERE OVERTURNED

Physicians Who Accompanied the Relief Train State That Probably None of the Injured Will Die. Weight of Train Caused Rails to Spread. List of the Persons Injured.

St. Louis, Sept. 27.-Spreading rails today caused a wreck on the St. Louis Iron Mountain and Southern railroad near Vulcan, Mo., 125 miles from here, in which 31 persons were injur ed, six seriously.

The train, a south bound passenger known as the Hot Springs Special, left here about 4 hours previously. Seriously injured:

Pat Martin, Pocahontas, Ark. W. W. Strothers, DesArc, Ark, Dr. S. S. Baker, White, Ark. R. S. Hays, Fayette, Mo.

Mrs. J. W. Michaels, Little Rock,

H. H. Hill, Little Rock, Ark. It was stated at the general offices of the Iron Mountain route tonight that the wreck was caused by the receat heavy rains. The train is a fast special and was running well up to the schedule time when the accident occurred. The baggage and chair cars, a day coach and a sleeper, left the rails and overturned.

At the plac where the wreck occur red, the track is on a level with the surrounding country so that the derailed cars did not fall down an embankment an to this is attributed the fact that none were killed.

A special train brought the injured to St. Louis and there were taken to hospitals or homes, as they desired, Physicians who accompanied the relief train, stated tonight that in their ed the lieutenant governor at once opinion, none of the injured would sent despatches to Acting Secretary

BOXERS ARE ACTIVE.

October 17th Fixed as the Date for Extermination of Foreigners.

Shanghal, Sept. 27.—Reports received from the northwest part of the L. Bates, Governor of Massachusetts, province of Shantung say that the Boston: Shotuan Boxers are openly distributing prospectuses, couched in the same language as those circulated before the uprising of 1900. These prospectuses order precisely similar observances and fix October 17 next as the date for the extermination of all fore gners.

Lady Curzon Relapses.

Walmer Castle, Kent, Sept. 27., 7:30 p. m.-Lady Curzon's improvement was not maintained today. She is much exhusted this evening.

QUARTETTE OF SUICIDES. New Orleans Has Four of Them

Within Twenty-four Hours, New Orleans, Sept. 27 .- Four suit or process issued or prosecuted cides have occurred here in the last 24 hours.

Mand Mars quarreled with her loves and jumped into the river. Louis Heller, a cooper, stabbed himself in the breast.

Gene Phillaspere, a negro porter, was reading reports of suicides and cerned in executing it, shall be deem awa'lowed two ounces of carbolic ed a violator of the law of nations

Alahama River Low. Mobile, Sept. 27.-The Alabama such action as may be proper in this

river has become so low that it has been declared unnavigable and river steamers will be laid up till a rise The banks are lined with cotton and the low water will cause thousands of dollars loss. Old river men say the condition is unprecedented.

PLUGGED BY PEONS.

Jesus Camillo, Who Refused to Pay More Wages Buried Today.

El Paso, Texas, Sept. 27 -- In an at- ed. tack which was made upon him today by his employes owing to his refusal to increase wages, Jesus Camillo, a mine owner, at Sabinal Mexico, washot and killed. The man who sild the shooting was arrested. All of the others who made up the attacking party menaged to escape.

Senator Hoar Dying,

Wornester, Mass., Sept. 27.-At 7. websek tomight Dr. Gilman, Semator Biographysician expressed the hellef forms go that if the fact tree # that the secutor would not live stand above on here in meet on through the night. He is mindle to downer to entered the laws of Manswallow, is unconscious, and his vi- polymetre to the sacrette of life on tality is atmost gone.

BISHOPS, ARCHBISHOPS AND THOUSAND PRIESTS MEET IN NEW YORK.

THIRD GENERAL EUCHARIST

Pope as Special Mark of Favor Granted Three Indulgences to Those Taking Part in the Services -Message to Pius X.

New York, Sept. 27.-No event in the history of the Roman Catholic church in the United States has ever brought together so many prelates, priests and members of the hierarchy as the third general Eucharistic congress, which was opened today with solemn pontifical mass at St. Parrick's cathedral. The congress with continue three days.

During the continuation of the solemn Te Deum at St. Patrick's, simtlar services will be held daily in a'l churches within this jurisdiction.

Pope Pius X as a special mark of his favor, has granted three special ter, has commended the spirit of the instics of high orders, by Mgr. Falconio, apostolic delegate to the Unrepresent the pontiff at the congress Covington, Ky., who has been foreleague movement, will preside at the

After a procession of the visiting priests and prelates, mass was cole-brated by Archbishop Farley. The brated by Archbishop Farley, sermon, which was the keynote of the congress, was delivered by Mgr. Joe. F. Mooney, vicar general of New

At the suggestion of Archbishop Farley, the archbishops, bishops, monsignors and clergy united in sending mes age of thanks to Pius X, and the following bearing the signature sent it to Judge Phelps at Lee. The the archbishop of New York, was telegram from the state department cabled to Rome:

"The third Eucharistic congress of the United States assembled in the cathedral of New York, thanks the boly father, Pone Pius X mort cordially for the unternal love and blesssalutes him with filial love and loy-

Jans Near Yentai Mines.

and taken after entering protest un-Mukden, Sept. 26, via Pekin, Sept. der threats of force, to the court at 27.-The Russian cavalry west of the Lee, when in spite of his protests, he railroad report an important Japanese novement, with a threatened attack. change eastward is reported. claring that he could not admit the Four idvisions of Jaapnese are at Bentsiaputze, three divisions are right of the court to senence him supposed to be near the Yental mine, and two others west of them. Gen. court and to go to prison if he did Mistchenko reports that he penetrated to the Yental mines and found on ly small detachments of Japanese "Section 4063 revised statutes of

particular ezse a grave breach of in ternational law. Ask you to tele-graph me at once if Mr. Gurney was arrested and fined in spite of protests; Other channels of redress are open in case of the violation of Massachusetts laws by the diplomatic representatives of other nations. Therefore i fine was imposed and collected, the fine must be remitted and I need not suggest to one so respected as you be personal amend that you will of course, desire to make to Mr. Gurney for the error on method adopted by your court in this unusual case. Kindly forward me affidavit of the evidence of any breach of Massachu-

softe laws "CURTIS GUILD. "Lieut. Governor, "Acting Governor." Lieut, Gov. Guild said that no furthe raction would be taken until be

had beard from Judge Phelps. The Blunderer is Mum. Pittsfield, Mass., Sept. 27,- Intries Phelps today was averse to discuss-

me the Gurney ense. "If I find that I have made a mirtake, I will gladly andustry," by said did only what I believed to be

Putting the Law in Motion. Washington, D. C., Sept. 25-The thereby general teday at the request a interior.

of the state relegraphed United States . Eintern Trans: Shower, Wed. Attorney Maniton to take the atoms to bredge, relider in northwest pur \*
secure Mr. Gurney in all his legal \* tion; Thursday, showers and \*
Crossadt Sept. 27.—The local Red craft
Sights th make a felt investigation of \* conder; fresh to brisk north \*
Cross Seciety has received a take 1904. the facts and to recent the marter to \* while on the engit, he denorment at his earliest con ;

Indications point to the immince of a forward movement of · the Japanese armies against the Russians at Tie Pass, Sinmintin, · and Mukden. Gen. Kuropatkin · • is fortifying Fakoman northeast • IN CONGRESS of Mukden, that he may be preports of a naval engagement . with the southeastern extremity . • of Sakhalin are not verified, to • the contrary, it is believed the • • Vladivostok squadron remains • in the harbor. There is no news • · from Port Arthur,

MAN WITH FONDNESS FOR WRIT ING LETTERS WINDS UP IN FORT DODGE JAIL.

Experts Who Examined Him For Insanity Claim That the Offender Is in His Right Mind.-Had J. J. Hill on His List.

Des Moines, Sept. 27.-Charged with writing and sending obscene letters to President Roosevelt, Miss indulgences to those attending these Roosevelt and Helen Gould, a man services. Thepope by a special let- giving his name as Edward Dalheiler, has been arrested by the United congress and the message will be de States authorities and lodged in jail to Mr. Donnely nor anyone else. livered to the delegates, consisting of at Fort Dodge. The letter alleged to have written Donnelly requesting t more than one thousand priests, a have been written by Dalheiler to dozen archbishops, fully a score of the president threatens his life unless bishops and monsignors and eccles certain reforms are made. The one to Miss Gould proposes marriage. The letter to Miss Roosevelt is not ted States. Manager Falconio will made public. It is alleged that the prisoner also wrote to J. J. Hill, askand Bishop Camillus B. Maes of ing him to intercede at Washington and have the gold standard changed most in furthering the Eucharistic to diamonds, as a medium of ex-

change. Dalheiler was arrested at Emmettsburg, Iowa, where he was brought before the commissioners of insanity and pronounced to be in his right mind. It is claimed that Dalheller wrote the letters in South Dakota, and he will probably be taken to Sloux Falls for trial.

BANQUETED HIS GRACE.

Archbishop of Canterbury Meets 400 Notables at Astor House.

New York, Sept. 27,-His Grace the archbishop of Canterbury, was the guest of honor at a dinner this evening, given by the church club of New York, in the banquet hall of the

ing contained in his official brief and head of the church of England and At the guests' table, was the official the Episcopal denomination, sat Geo. MacCulloch Miller, president of the church club who occupied a chair at the archbishop's right. At the left sat Bishop Potter, head of the church in New York. Others at the table were Mayor Geo, B. McClellan, Right Rev. Geo. Worthington bishop Nebraska, Preident Nicolas Murray Butler of Columbia university, More than 400 guests including the

leading prelates and churchmen of the Episcopal faith in New York and

American Sulcides in Berlin, Be-lin, Sept. 27.-A dispatch from trasburg announces that D. H. Goos. president of the American Institute there, has shot and killed himself,

KID M'COY WINS.

Slugged Sullivan to > Finish Twenty Rounds, at Lo: Angeles. Los Angele, Sept. 27.-Kid McCoy

was given the decision over Jack Sullivan of Boston at the end of the twenty rounds at the pavilion | beavy gale last week and that 11 tonight. The fight was a flerce one from the start, both men taking advantage of every rule that was thort of actual fouling. McCov punished belonging to two crafts were drown-Sullivan severely, having his now led. and mouth bleeding in every round after the fifth.

Vesuvius Becomes Calmer. Naples, Sept. 27.-The eruption of Mount Vesuvius has greatly diminerater do not now rise beyond a beight 110 feet. The authorities have re-

> WEATHER PORECAST Washington, D. C., Sept. 27 .-

laxed the restrictions placed upon the

. Western Texas: Showers and . \*cooler Wednesday, earson fair in \* · extreme west portion; Thursday · fair Louistons: Showers Wed- . \* needay: cooley in west portion \* . Thursday, showers; exoler in the . Fresh south winds. . MARSHAL OYAMA SPREADS OUT

THE PRESIDENT'S UNKNOWN PROXY

FORGED CAMPAIGN DOCUMENTS APPEAR IN COLORADO MIN-ERS' ORGAN.

ADDRESSED TO MICHAEL DONNELLY

n Spurious Statement Mr. Rooseveit is Made to denounce Unionism and Class It With Lynching-He Denies the Imputation.

Butte, Montana, Sept. 27.-When Senator Fai-banks and his party ar leaders much exercised over the pubrived here they found the republican lication in the miner's magazine, pub shed at Lenver by the Western Fedcraton of miners which purported to c a denunciation of labor unions by President Roosevelt and a denial of is authenticity by the president. The President's cont adiction was sent to Former Senator Lee Mantle in response to a telegram of inquiry from him, and was as follows: House, Washington, Your telegram received. The letter you refer to pur porting to be addressedby me chael Donnelly and printed in the Min ers' Magazine of September 22, is of course, an absurd and impudent for gery. I have written no such letter nor any letter even resembling

know if he has received any such let ter and requesting him, if so, to at once lay it before the district attor-ncy of Chicago to find out whether is possime to discover and punish he forgers. (Signed)

THEODORE ROOSEVELT."

Story of the Letter. The letter in which the president is epresented to have made his attack on union labor was addressed to Michael Donnelly, of Chicago, president of the butchers and meat cutters' un-The document is given in full with Presdent Roosevelt's name attached, but without date, and it is stated that it was written in response to an appeal by Donnelly to him to extracts from it; "I stand ready to while Von Bauditz and two friends Entire Absence of News From Port de as my illustrious predecessor. Gropower of this nation against all local man and another man entered and nullifiers. Last summer I felt im- took seats at a table near them. The poled to write a letter calling upon woman, according to Von Bauditz's my countrymen to put down lynching. But labor union terrorism and erime! e as great a national menace as

officer, miners, governors, or the presgent himself, is to maintain public order and put down the mob wth an iron hand.'

After addvising Donnelly to put a stop to the strike the president is the hotel, a pistol shot was heard and represented as saying: "In any case the young man's body was found ly-be assured I will keep my hands off inc on the floor. He died instantly. unless your folly brings you into col. A note addressed to "whom it may ision with the laws of the Unted concern', said: "No one to blame; States, when my hand will go on in a did it myself." way you was not like. So far as I A second letter asked that some Mukden and Sinmintin. The an-am concerned you have barked up the of his personal property be given to fortifeing Paleonary 25 wrong tree. I am not to be either the woman, who had spurned him. heedled or frightened into meddling with what is none of my busness.

Hill Acquitted of Lynching. Huntsville, Ala., Sept. 27.-The jury

in the case of Ben Hill, alleged lyncher, returneed a verdlet this afternoon

Fatal Gale off Labrador. steamer Virginia from Labrador, reports that the coast was swept by a vessels mostly fish laden, were drive. ashore, the greater portion of these being totally wrecked. Seven sallors

COTTON MILLS ADVANCE WAGES.

North Carolina Manufacturers of Yarn are Willing to Pay More. Charlotte, N. C., Sent. 27,-Pur-n ished. The stones ejected from the ant to a recent call by leading cotton mill men acting independently of any organization about fifty spinners representing a total of 477,494 uple dies engaged in the manufacture of form, bard varus in North and South Care, the elina met here today and agreed upon in advance scale of prices.

The following contlumen were acpled as an adelesty committee; 3 Absenuth of Lincolnton N. C. C Heath of Monroe: Gen S. His-Charlottel and J. P. Wilson, and Miller of Sheller. This committee will here in clay

cornect of manufacturers.

 grum from Port Arthur, by way of
 The Fox, genometing that all the . Staters of Merry there are well.

WILY JAPANESE GENERAL CAREFULLY MOVES HIS BATTALIONS FOR AN ENVELOPING EVENT AT MUKDEN.

IF KUROPATKIN TRIES TO HOLD THE CITY HIS FLANKS WILL BE ATTACKED QUICKLY

The Fate of Mukden Will Soon be Decided by Either a Japanese Defeat or Another Foot-Race--Absence of News From Port Arthur Indicates a Tightening of Blockade Lines.

THT FOLLY OF CARLO VON BAU DITZ WHO LOVED TOO MADLY.

Suicide Was a Wealthy Venuezelan on a Visit to New York, and was Apparently in the Trammel of His First Affair.

New York, Sept. 27.—Because young woman with whom he was infatuated had refused to recognize him when they met in a fashionable cafe last night, Carlo Frederique Von Bauditz, a wealthy young Venezuelan, shot himself in his apariments at the hotel Endicott.

From a friend of the suicide, it has been learned that Von Bauditz har trouble with the woman several days ago, when he met her in company with another man. After a storn interfere fo, the settlement of the late scene the woman promised, it is said butchers' strike. Following are some not to offend again. Last evening, ver Cleveland did, and assert the were at dinner in the cafe, the wofriends, did not appear to notice her admirer. Von Bauditz became excited. After repreaching the woman they be sheriff, constable, municipal out of the restaurant, Von Bauditz at last consented to leave the place,

> more to live for." Soon after he reached his room at

LAWYERS MEETING.

Interesting Papers Read Before the evacuated, Association at St. Louis,

St. Louis, Sept. 27.-The American sembled Benjamin Abbott, of Geor-coming semi-weekly. gia, spoke on "to what extent will a! Prince Sviatopolk-Mirsky was recountries?"

The association then listened to reports of special committees. The annual address of Hon, Amos M. Thayer, circuit judge of St. Louis, was read by Judge Franklin Fer y, also of this city.

Judge Thayer was prosbnt, but ow burg says: A dispatch has been reing to a heavy cold was unable to ceived by the official news agency cliver the address himself. abject of the address was "the Lou-Japanese lost 1,300 men killed during ana Purchase; as influence and de the night attack on Port Arthur, of elopment unde American rule."

presentation of the report of the com- rendered assistance in repulsing the mittee on jurisprudence and law res Japanese. The report was adopted with the exception of that meeting concern ing the taxation of property which was referred to the committee on unlfor exity of laws.

The report of the committee on dispatch from Gen. Sakharoff, dated judicial administration and laid on "The enemy's vanguary, proceedure was received and laid on of one battalion and two aquadrons of one battalion and two aquadrons

The report of the committee on in- of cavalry, has assumed the offensive ternational laws was read, after probably for a reconnoisance in the which the forcewing resolution was district between the Mandarin road

correlation commons in the resolution ped by our troops. The enemy has counted by the national arbitration not set advanced north of Davan. ernference at Wassengton, January 12, on the left bank of the Line river,

bittion by I assembled to the Secre-chan, tary of State of ...e United States.

St. Petersburg, Sept. 27 .- The latest developments in the situation at the front is the definite establishment of the fact that Field Marshal Oyama has now begun to move up his left. Gen. Kuropatkin's report oday shows that the Japanese have reached Davan, on the west bank of the Liao river. A considerable concentration of Japanese is observed at Sianchan on the Hun river, 35 miles southwest of Mukden, and Japanese cavalry is massing in the valley of the Public river. The latter is a trib-GREEN EYED MONSIER utary of the Hun river, which crosses the line of railway midway between Tie Pass and Mukden, and may furnish a neutral line of advance from the west. Oyama's wings are extended to the north, east and west of Mukden. Thus far the Russians have found little or no strength or pressure from the Japanese center. Oyama's west is said to be moving with great deliberation, probably gathering strength for a rapid advance of both wings when an attempt is made to close the net. Although the imaginary line connecting the extreme Japanese advance east and west of Mukden still passes ten miles below that city, it is evident that the fate of Mukden cannot long be delayed. If Gen. Kuropatkin intends to try to hold the city, fighting on his flank, will begin almost immediately.

ST. PETERSBURG RETICENT.

Arthur Indicate Close Blockade.

St. Petersburg, Sept. 28, 2:05 a. m. -The war commission adjourned last evening early without issuing further

news from the front. A Mukden telegram to the Berlin "Let me tell you that the first duty of the officers of the law, whether walters asked his friends to take him Lokal Anzeiger, reporting that the to refer to the scouting parties of Jashouting as he did so: "I will kill panese whose presence was recorded myself. She is false. I have nothing in the Associated Press dispatches of September 26. The movement of the Japanese forces on the Liao river which was reported in a dispatch from Gen. Sakharoff to the general staff on September 26 is all the more significant since Sianshan is the starting point of roads leading to Tie Pass, Mukden and Sinmintin. fortifying Fakoman, 25 miles north east of Mukden, shows that General Kuropatkin is preparing to check the flanking movement on Tie Pass from the west in case Sinmintin is

No News From Port Arthur.

The entire absence of news from bar association met today. At the Port Arthur, it is feared, indicates a conclusion of reports, a recess was closer blockade there. Hitherto, disasen. When the association again as- patches from Gen. Stoessel have been

nation potect its citizens in foreign ceived in audience today by the emperor. The prince will assume charge of the ministry of the interior on September 29.

Japa Lost 1,300 at Port Arthur. London, Sept. 27 .- A telegram to a local news agency from St. Peters-The there from Harbia, saying that the

September 18. lengthy discussion followed the The Russian war ships, it is added,

Japanese Resume the Offensive. St. Petersburg, Sept. 27.-The general staff has received the following

"The enemy's vanguard, consisting and the brights of the village of Resolved. That the American bur Toumptsau, His advance was stopbut an increased force has been ob-nesserved. That a copy of this resonserved in the neighborhood of Sian-Japanese cavalry have appear od in the valley of the Ling river."